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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Terry Martin,

Plaintiff,

v.

City of Chicago, et al.,

Defendants.

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No. 07-cv-4991

Judge Ronald A. Guzmán

ORDER

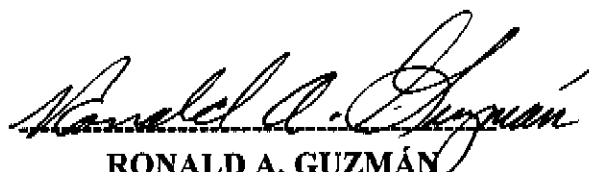
This cause comes before us on defendant's *Motion for Entry of Bifurcation Order On Revised Stipulation*. On November 26, 2007, Defendant, City of Chicago, filed its *Motion to Bifurcate Section 1983 Claims and to Stay Discovery and Trial on Those Claims*. By this motion the City sought to bifurcate and to postpone the discovery and trial of the plaintiff's *Monell* claims against it. To make the motion more palatable, the City offered a stipulation by which it agreed, in essence, to be bound by any judgment entered against the individual police officers arising out of the same incident. Since that time the parties have been struggling to reduce to a mutually acceptable written form the City's proposed stipulation. Unfortunately, they have been unable to do so. It seems that every time an objection is cleared up, a new one arises. Upon reconsideration the Court concludes that the entry of a stipulation as proposed by the City is not required. In essence, the stipulation changes very little. The fact of the matter is that the City is in all practical respects bound to indemnify those officers for the vast majority of judgments which might be issued against them for actions taken under color of law. Moreover, and more to the point, the benefits of bifurcating these issues outweigh any drawbacks with or without the proposed stipulation. The court has already articulated on the record its reasons for reaching this

conclusion. Although strengthened by the entry of the City's proposed stipulation, the factors favoring bifurcation are sufficient to warrant the requested bifurcation even without the stipulation. Therefore, the City's motion is granted and all proceedings on the *Monell* claims against the City are stayed until the resolution of the claims against the individual officers.

Dated: April 25, 2008

SO ORDERED

ENTER:


RONALD A. GUZMÁN
District Judge